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PTO/SB/21 (08-00)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/993,841	
	Filing Date	November 5, 2001	
	First Named Inventor	Daniel J. Powers	
	Group Art Unit	3762	
	Examiner Name		
Total Number of Pages in This Submission	15	Attorney Docket Number	US010599

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Receipt Confirmation Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	W. Brinton Yorks, Jr. Reg. #28,923
Signature	<i>W. Brinton Yorks, Jr.</i>
Date	1/30/04

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>30 Jan 2004</u>	
Typed or printed name	Jill Peistrup
Signature	<i>Jill Peistrup</i>
Date	30 January 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
DANIEL J. POWERS
Serial No. 09/993,841
Filed: November 5, 2001

Atty. Docket
PH US010599
Examiner: unassigned
GAU: 3762

CARTRIDGE HAVING A POWER SOURCE AND ELECTRODE PAD...

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313

**PETITION UNDER 37 CFR 1.181 TO
WITHDRAW NOTICE OF ABANDONMENT**

Sir:

Applicant respectfully requests the Commissioner for Patents to restore the subject application to pending status on the ground that Applicant did respond in a timely manner to the Notice to File Corrected Application Papers mailed by the Patent Office in this case on December 12, 2001. Applicant filed a Response to File Corrected Application Papers, with corrected formal drawings attached, and a Petition For Extension Of Time in this case, both on April 17, 2002, in timely response to the Notice dated December 12, 2001.

Attached as Exhibit 1 is a copy of the Notice Of Abandonment dated November 6, 2003.

Attached as Exhibit 2 is a copy of the Request For Extension Of Time, filed by applicant on April 17, 2002. The certificate of mailing, signed and dated by Elissa DeLuccy on April 17, 2002,

clearly indicates that the Request was mailed to Commissioner Of Patents on same date.

Attached as Exhibit 3 is a copy of the Response to File Corrected Application Papers, with corrected formal drawings attached, filed in this case on April 17, 2002. The certificate of mailing, signed and dated by Elissa DeLuccy on April 17, 2002, clearly indicates that the document was mailed to Commissioner For Patents, on same date.

Attached as Exhibit 4 is a copy of the postcard sent to the Patent Office with the aforementioned Response to File Corrected Application Papers, with corrected drawings, and Request For Extension of Time. The postcard indicates that the Extension and Response, with drawings, were mailed with the postcard. The date stamp evidences that the PTO received the Request and Response, with drawings, on April 22, 2002.

The delay in filing this Petition was due to the fact that the file for this application was one of a number of files that were transferred to Applicant's attorney in the State of Washington from Applicant's prior attorney in New York at the end of 2003.

FEE

The Commissioner is hereby authorized to charge Deposit Account No. 14-1270 for any petition fee, which may be due. However, since it is believed that the holding of abandonment is the result of circumstances not attributable to any fault by Applicant or his representative, it is respectfully suggested that no fee is due.

Applicant's undersigned attorney may be reached by telephone at (425) 487-7152. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

By W. Brinton Yorks, Jr.
W. Brinton Yorks, Jr., Reg. 28,923
Philips Electronics
22100 Bothell Everett Highway
Bothell, WA 98041-3003
(425) 487-7152

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER FOR PATENTS

PO Box 1450

Alexandria, VA 22313

On 30 January 2004
(Mailing Date)

By Jim Peitrop
(Signature)

For USPTO Mail Room Date Stamp:

US010599

Enclosed:

Transmittal Form

Petition to Withdraw Notice of Abandonment

Notice of Abandonment dated November 6, 2003

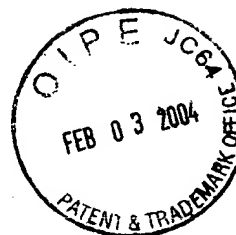
Exh. 2: Ext. of Time (copy)

Exh. 3: Response to File Corrected Application

Papers, with corrected formal drawings (copy)

Exh. 4: Copy of Postcard

Receipt Confirmation Postcard





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 37(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/993,841	11/05/2001	Daniel J. Powers	US010599

CONFIRMATION NO. 8004

**ABANDONMENT/TERMINATION
LETTER**



OC000000011192420

24737
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

Date Mailed: 11/06/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/12/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Z MOGUSS

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

POWERS ET AL

US 010599

Serial No. 09/954,574

Group Art Unit: 3762

Filed: November 5, 2001

Examiner

CARTRIDGE HAVING A POWER SOURCE AND ELECTRODE PAD...

Honorable Commissioner for Patents
Washington, D.C. 20231

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Sir:

Applicants hereby petitions for an extension of 3 months to respond to the Notice to File Corrected Application Papers mailed on December 12, 2001; because of this extension the time period for response will expire on May 12, 2002. Filed herewith is a complete response to said Notice.

Please charge Deposit Account No. 14-1270 in the amount of \$920.00, the fee for this extension; and charge any additional fees except for the Issue Fee, and credit any overpayment, to Deposit Account No. 14-1270.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Date:

4/17/02

By:

Chessa DeLucy

Respectfully submitted,

By

Tony E. Piotrowski, Reg. 42,080
Attorney
914-333-9609

PC APR 22 2002

S:\PI\US010599.EXTNOT.WP

Exh. 2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

POWERS ET AL

US 010599

Serial No. 09/954,574

Group Art Unit: 3762

Filed: November 5, 2001

Examiner

CARTRIDGE HAVING A POWER SOURCE AND ELECTRODE PAD...

Honorable Commissioner for Patents
Washington, D.C. 20231

ATTENTION: APPLICATION DIVISION

IN RESPONSE TO FILE CORRECTED
APPLICATION PAPERS


Sir:

In response to the NOTICE TO FILE CORRECTED APPLICATION PAPERS mailed on December 12, 2001, enclosed are the substitute drawings in compliance with 37 CFR 1.84, and a copy of the Notice. Accordingly, the above-identified patent application is now complete.

The Commissioner is also hereby authorized to charge any other fees which may be required, except the issue fee, or credit any overpayment to Account No. 14-1270.

Respectfully submitted,

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:	
Commissioner for Patents Washington, D.C. 20231	
Date:	4/17/02
By:	Cheryl DeLucy

By 
Tony E. Piotrowski, Reg. 42,080
Attorney
(914) 333-9609

PC APR 22 2002

Exh. 3

DOCKET NO. US 010599 DIV. PLOT SER. NO. 08/154,574

PLEASE DATE STAMP AND RETURN TO
ACKNOWLEDGE RECEIPT OF NOTED DOCUMENTS

Response to Filed Corrected Papers

Application.....	<input type="checkbox"/>	Amendment.....	<input type="checkbox"/>
<u> </u> Pages of		Issue Fee.....	<input type="checkbox"/>
spec., claims & abs.		Notice of Appeal....	<input type="checkbox"/>
Con. Doc.....	<input type="checkbox"/>	Extension.....	<input checked="" type="checkbox"/>
Drawings Inf.	<input type="checkbox"/>	Mailing Cert.....	<input checked="" type="checkbox"/>
No. Sh. <u>8</u> For.	<input checked="" type="checkbox"/>	Assignment.....	<input type="checkbox"/>
Power of Att.....	<input type="checkbox"/>	Decl. - signed	<input type="checkbox"/>
MLG. Date		- unsigned ...	<input type="checkbox"/>



US Philips Corporation
580 White Plains Road
Tarrytown, NY 10591-5190



2002 APR 29 A 10:11
U.S. PHILIPS CORPORATION
PATENT DEPARTMENT
580 White Plains Road
Tarrytown, N.Y. 10591-5190

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Exh. 4



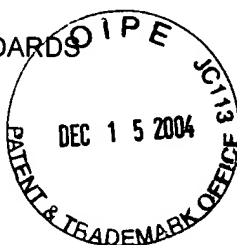
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/993,841	11/05/2001	Daniel J. Powers	US010599

24737
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510



CONFIRMATION NO. 8004

ABANDONMENT/TERMINATION LETTER



OC000000011192420

Date Mailed: 11/06/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/12/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Notice of Abandonment

This application is abandoned in view of applicant's failure to timely file a proper reply to the Office notice mailed on 12-12-01.

Petition to Withdraw the Holding of Abandonment

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within **2 months** from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
- * 2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be transmitted by facsimile directly to OIPE Customer Service at (703) 308-7751.

Petition to Revive an Abandoned Application

~~If applicant did not previously file a complete reply within the time period set forth in the notice,~~ applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by:

1. an adequate showing of the cause of unavoidable delay;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(i); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by:

1. a statement that the entire delay was unintentional;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(m); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to Office of Petitions at (703) 305-9282.

Any questions regarding this notice should be directed to OIPE Customer Service at (703) 308-1202.

J. Stokes

Customer Service Center

Initial Patent Examination Division (703) 308-1202

* The Certificate of Mailing
references the wrong SN -
09/954,574.



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PATENT APPLICATION INFORMATION RETRIEVAL

Search results as of: 11-2-2004::13:27:26 E.T.

Search results for application number: 09/993,841			
Application Number:	09/993,841	Customer Number:	24737
Filing or 371(c) Date:	11-05-2001	Status:	Abandoned -- Incomplete Application (Pre-examination)
Application Type:	Utility	Status Date:	11-05-2003
Examiner Name:	-	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	3762	Location Date:	10-14-2004
Confirmation Number:	8004	Earliest Publication No:	-
Attorney Docket Number:	US010599	Earliest Publication Date:	-
Class/ Sub-Class:	-/-	Patent Number:	-
First Named Inventor:	Daniel Powers, Issaquah, WA (US)	Issue Date of Patent:	-
Title Of Invention:	Cartridge having a power source and electrode pad, defibrillator having a rechargeable battery, defibrillator system having only one replaceable component, and related methods		

Search Options

Assignments

File History	
Date	Contents Description
02-13-2002	Abandonment -- During Preexam Processing
12-12-2001	Corrected Paper
12-11-2001	Correspondence Address Change
12-01-2001	IFW Scan & PACR Auto Security Review
11-05-2001	Initial Exam Team nn

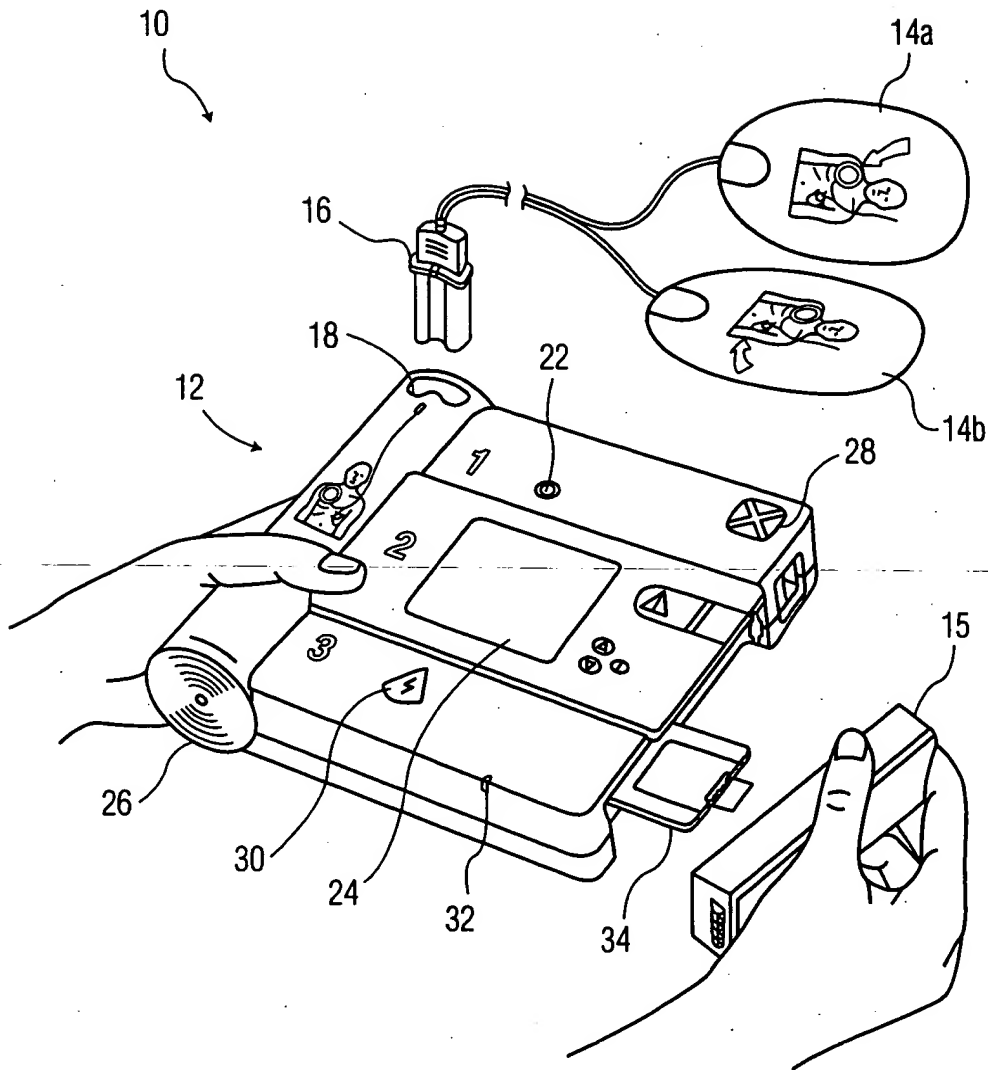


FIG. 1
PRIOR ART

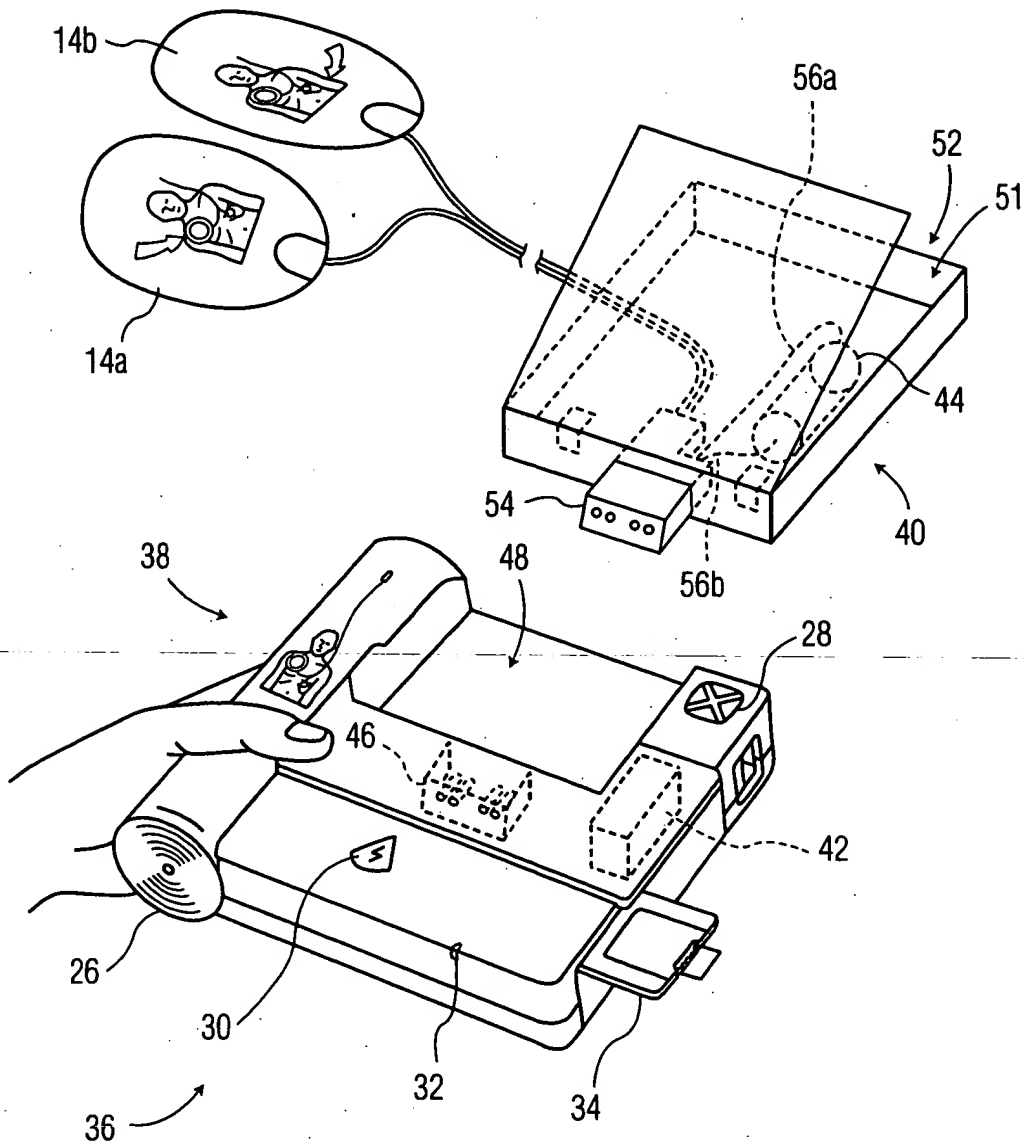
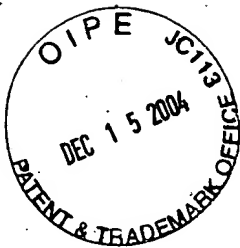


FIG. 2



Inventors: Powers et al
Attorney Docket: US 010599
Serial Number: 09/993,841
Contact: Tony Piotrowski (914) 333-9609

3/8

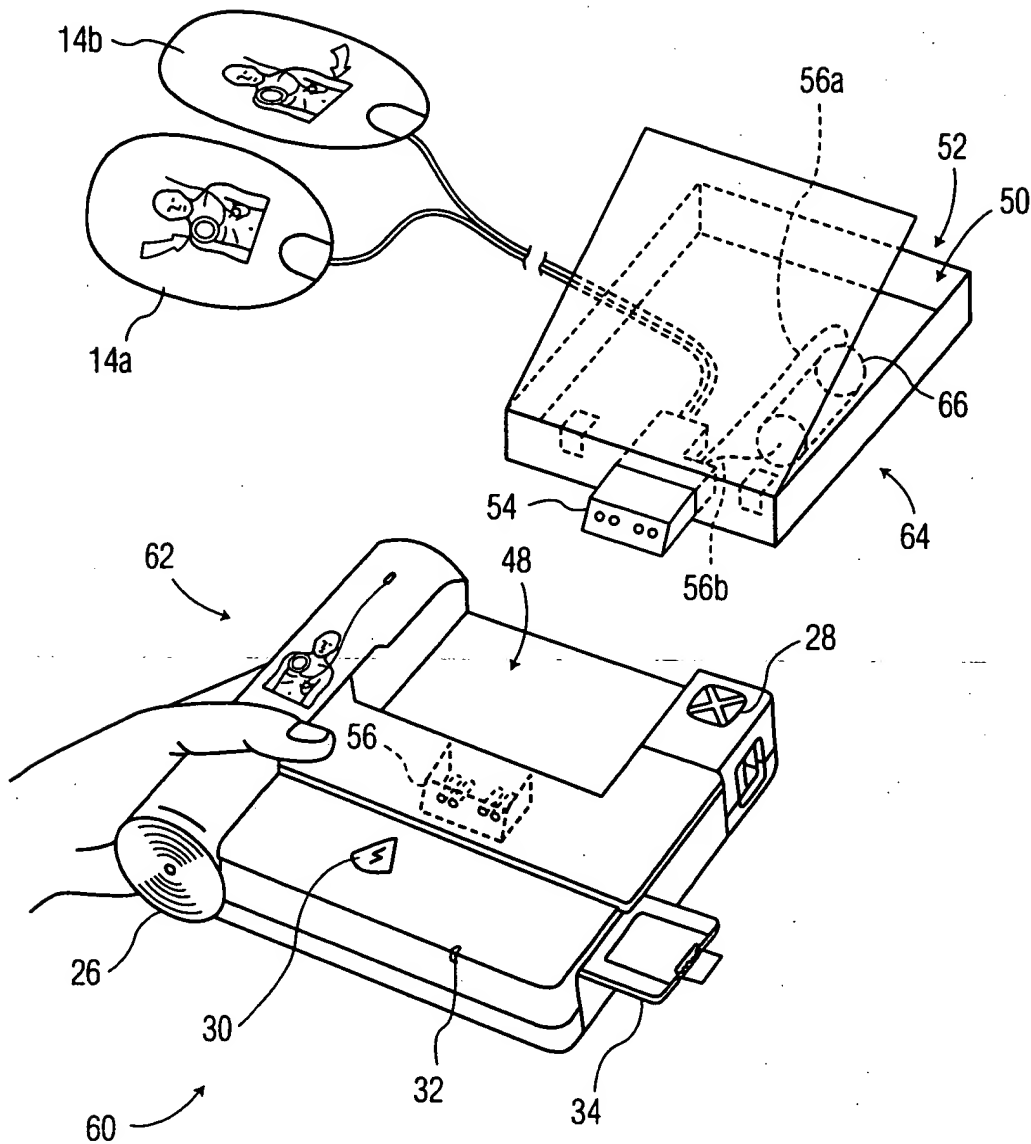
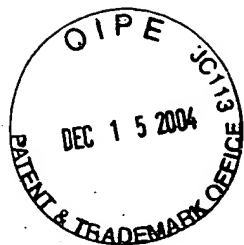


FIG. 3



Inventors: Powers et al
Attorney Docket: US 010599
Serial Number: 09/993,841
Contact: Tony Piotrowski (914) 333-9609

4/8

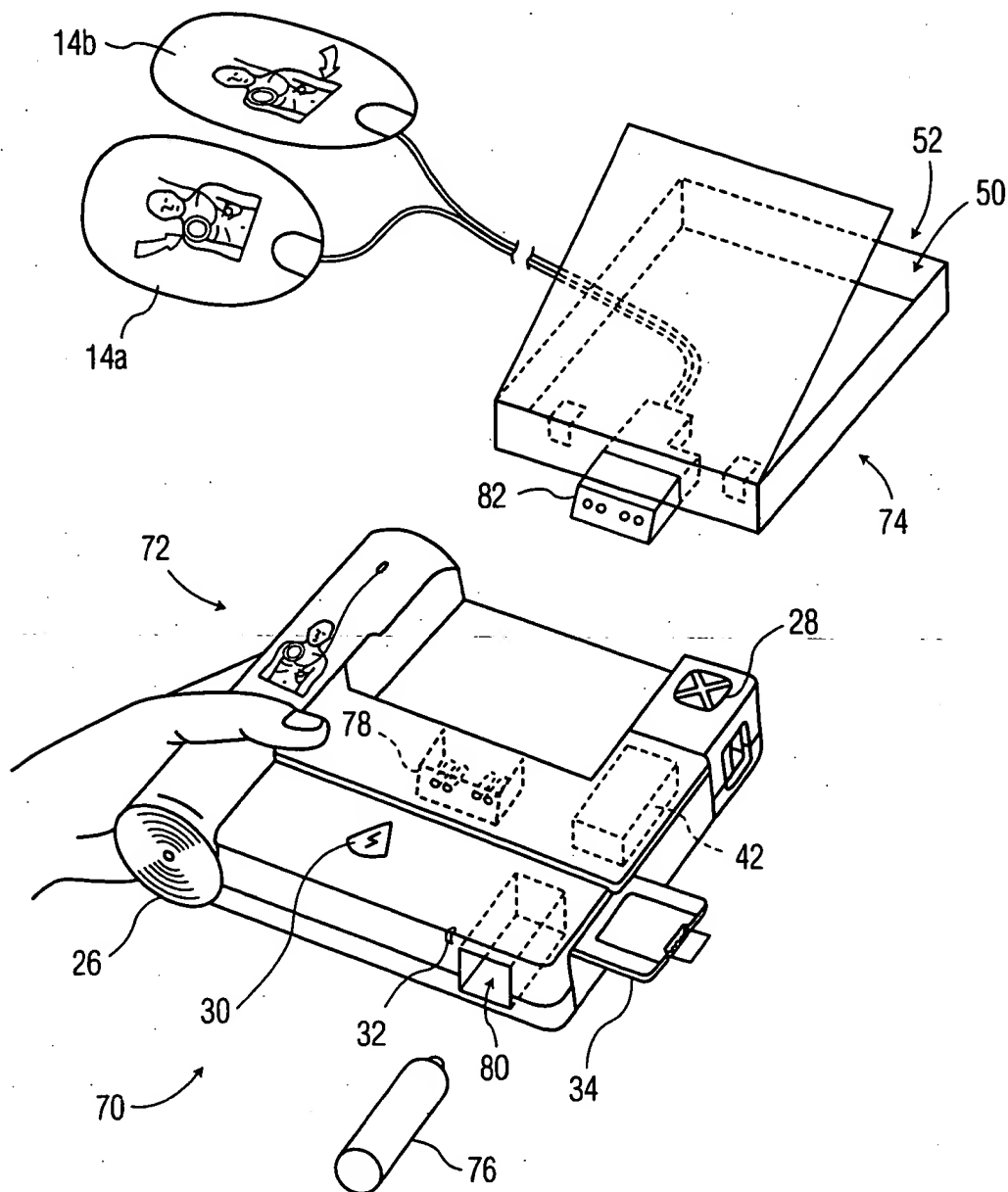
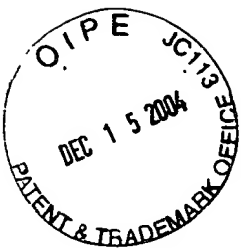


FIG. 4



Inventors: Powers et al
Attorney Docket: US 010599
Serial Number: 09/993,841
Contact: Tony Piotrowski (914) 333-9609

5/8

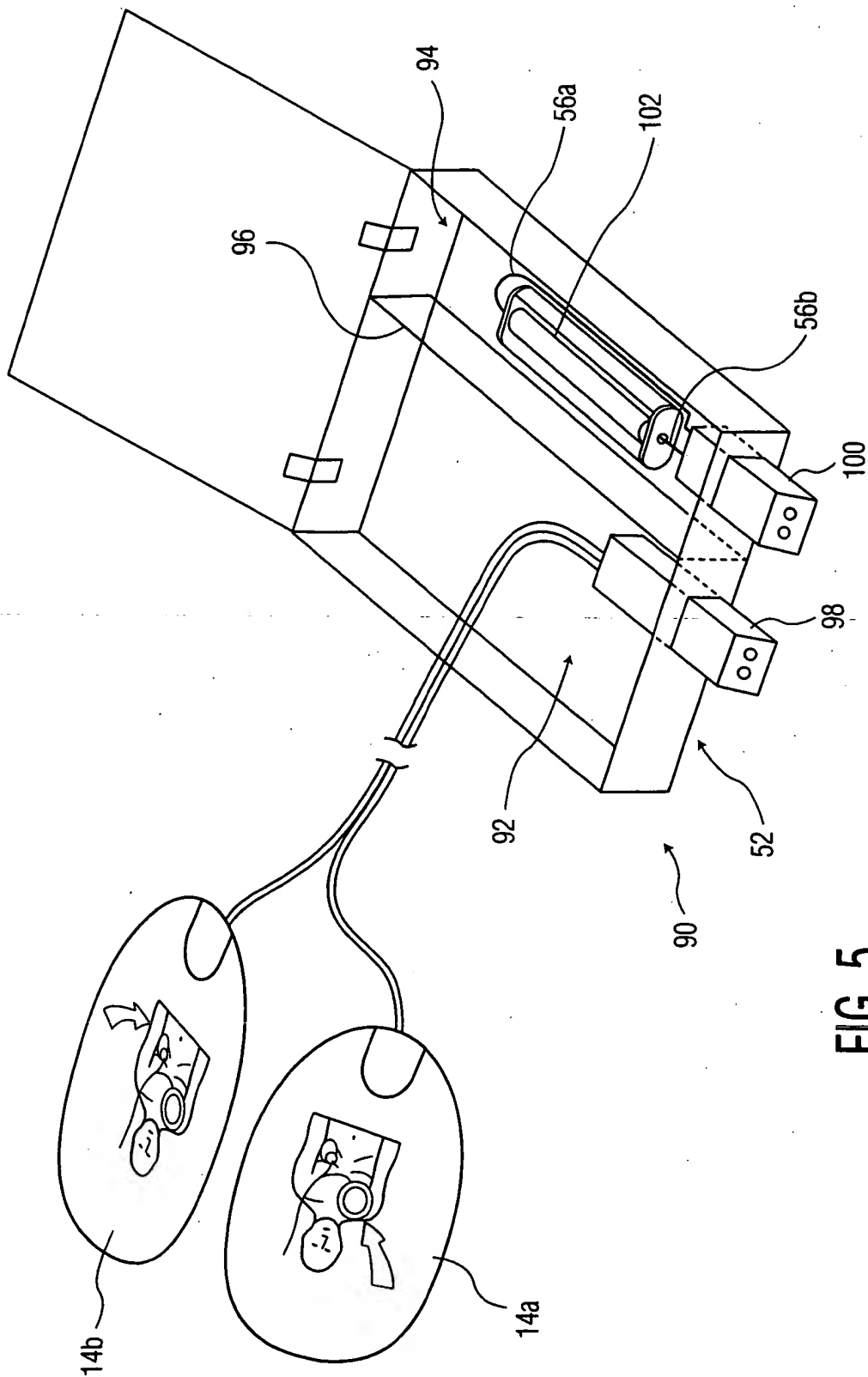


FIG. 5

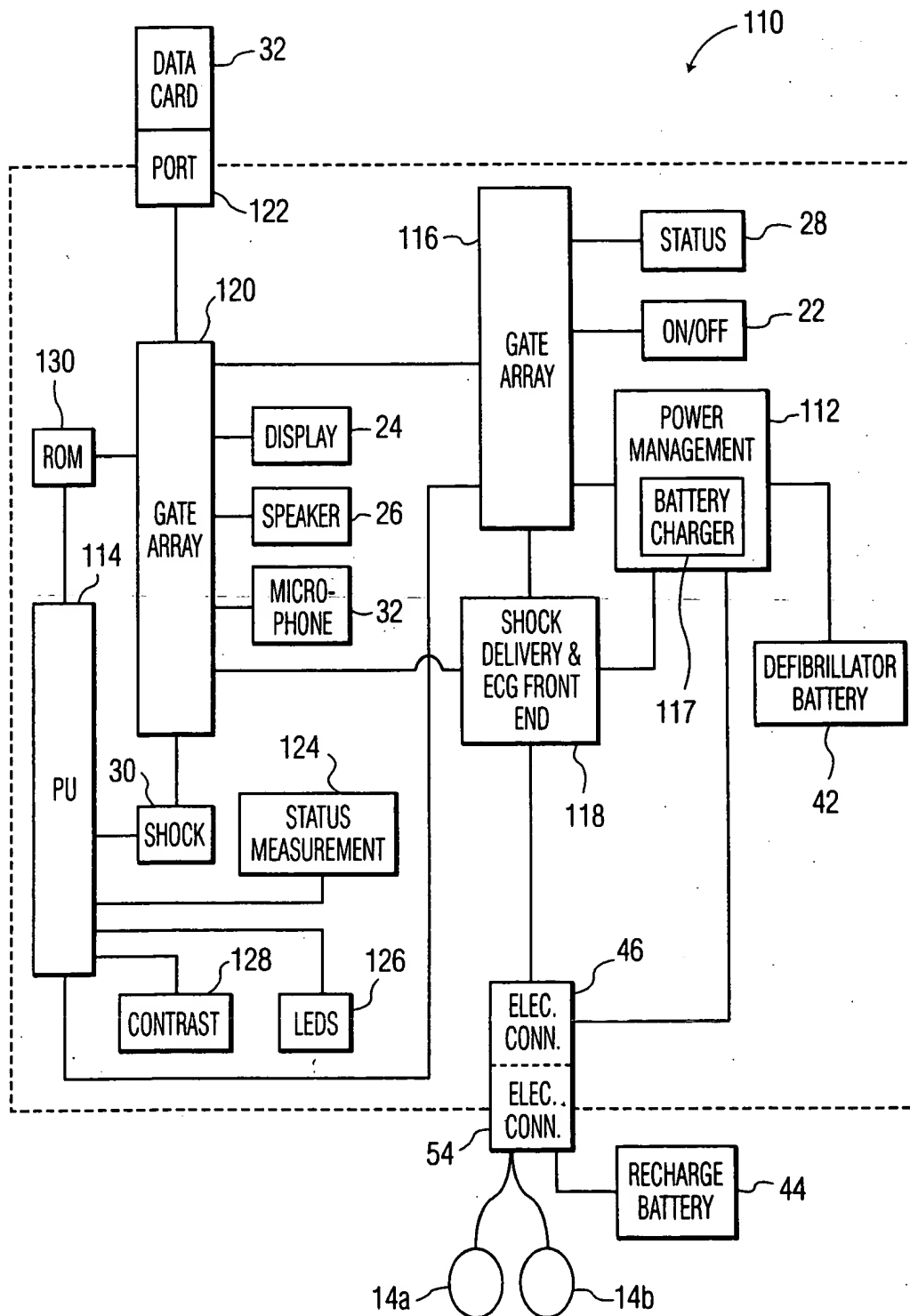


FIG. 6

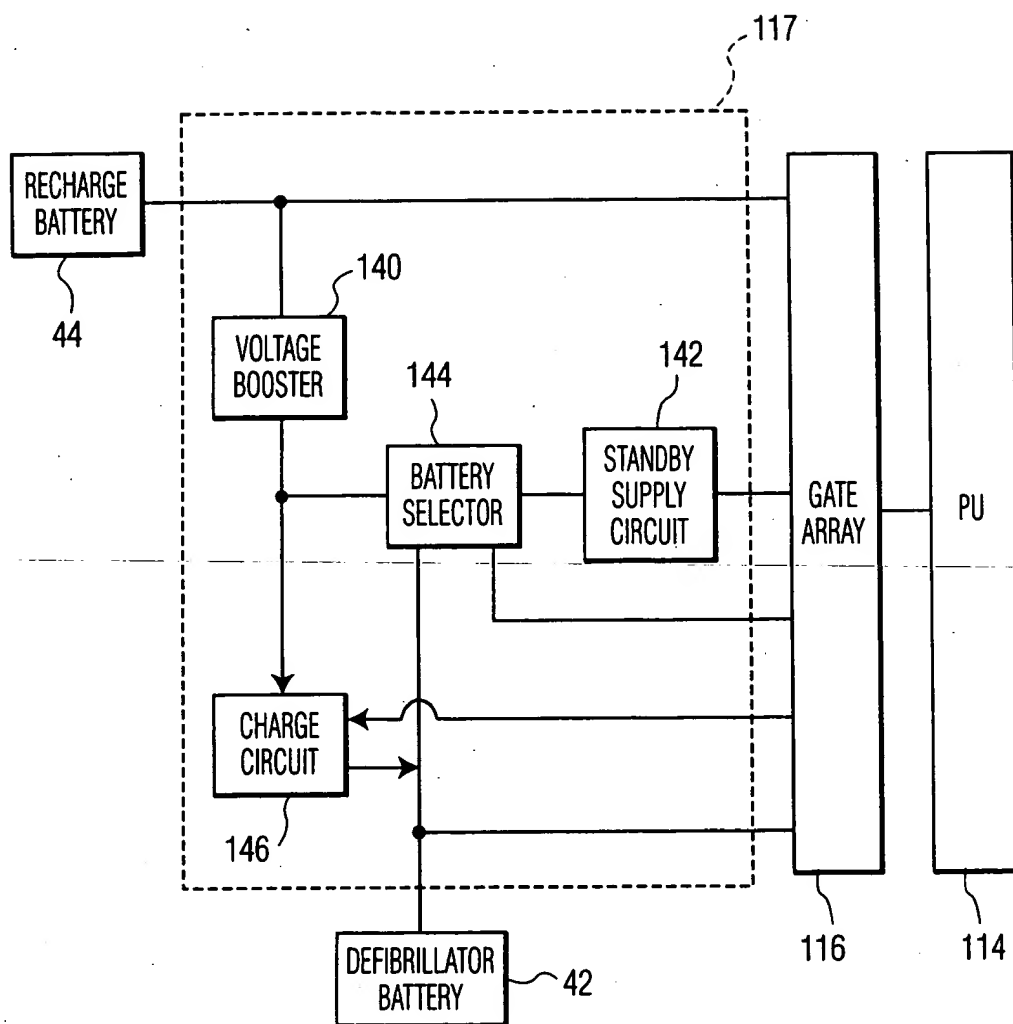
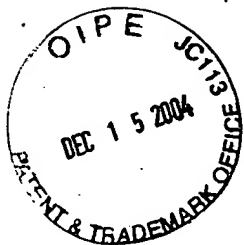


FIG. 7



8/8

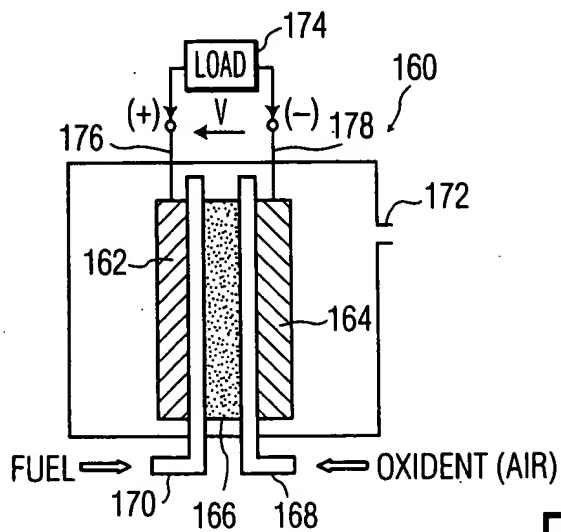


FIG. 8

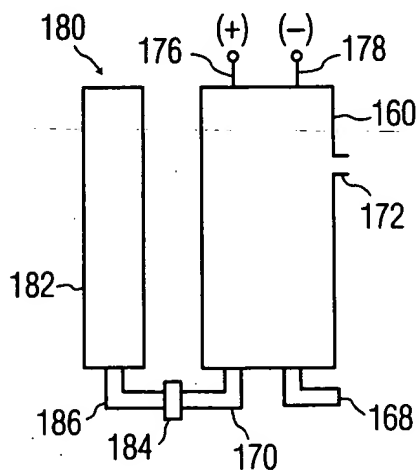


FIG. 9

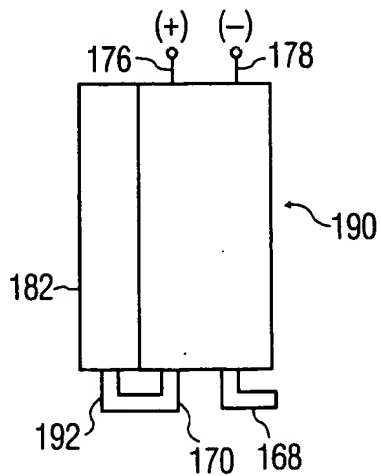


FIG. 10